

AMENDED IN ASSEMBLY APRIL 24, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 1014

Introduced by Assembly Member Canciamilla

February 20, 2003

An act to add Section 525.5 to the Harbors and Navigation Code, relating to vessels.

LEGISLATIVE COUNSEL'S DIGEST

AB 1014, as amended, Canciamilla. Vessels: abandonment.

Existing law prohibits any person from abandoning a vessel upon a public waterway or public or private property without the express or implied consent of the owner or person in lawful possession or control of the property, except as specified. The abandonment of any vessel in this manner is prima facie evidence that the last registered owner of record, not having notified the appropriate registration or documenting agency of any relinquishment of title or interest therein, is responsible for the abandonment and is thereby liable for the cost of removal and disposition of the vessel. A violation of this prohibition is an infraction and is punished by a fine of not less than \$500 nor more than \$1,500.

This bill would ~~authorize a public agency to accept title to and possession of a recreational vessel if delivered to the public agency by the owner in lieu of abandoning the vessel as described under existing law~~ *require the Department of Boating and Waterways to make recommendations to the Legislature on strategies to prevent recreational vessels from being abandoned and to facilitate the ability of owners to turn in their recreational vessels to public agencies for disposal in lieu of abandonment. The bill would require the Director of*

Boating and Waterways to appoint an Abandoned Vessel Advisory Committee to assist the department in preparing these recommendations. The bill would specify the membership of the committee and would require the committee to serve without compensation and without reimbursement by the state for expenses. The bill would require the department to assist the committee in carrying out its duties.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1.—Section 525.5 is added to the Harbors and~~
2 *SECTION 1. Section 525.5 is added to the Harbors and*
3 *Navigation Code, to read:*
4 *525.5. (a) The department may make recommendations to*
5 *the Legislature on strategies to prevent recreational vessels from*
6 *being abandoned and to facilitate the ability of owners to turn in*
7 *their recreational vessels to public agencies for disposal in lieu of*
8 *abandonment.*
9 *(b) The recommendations shall consider all of the following:*
10 *(1) The experience and data available to the department in*
11 *relation to the existing abandoned watercraft abatement program*
12 *administered by the department.*
13 *(2) The needs and desires of the recreational boating*
14 *community in being able to properly and economically dispose of*
15 *recreational vessels in lieu of abandoning them.*
16 *(3) Any environmental, economic, safety, or practical benefits*
17 *that could be obtained by preventing recreational vessels from*
18 *being abandoned and facilitating efforts of owners of recreational*
19 *vessels to turn in their vessels to public agencies for disposal in lieu*
20 *of abandoning them.*
21 *(c) (1) The director shall appoint an Abandoned Vessel*
22 *Advisory Committee to assist the department in preparing*
23 *recommendations.*
24 *(2) The membership of the committee shall include, but need*
25 *not be limited to, representatives of all of the following:*
26 *(A) The Boating and Waterways Commission.*
27 *(B) Boating law enforcement agencies.*
28 *(C) The United States Power Squadron.*



1 (D) *The United States Coast Guard Auxiliary.*

2 (E) *Entities that engage in the salvage or disposal of*
3 *recreational vessels.*

4 (F) *Owners of personal watercraft.*

5 (G) *Boat dealers.*

6 (H) *Boating, sailing, and yachting organizations.*

7 (I) *Owners and operators of public and private marina*
8 *facilities.*

9 (3) *The members of the committee shall serve without*
10 *compensation and may not be reimbursed by the state for expenses.*

11 (4) *The department shall assist the committee in carrying out*
12 *its duties.*

13 ~~Navigation Code, to read:~~

14 ~~525.5.—A public agency may accept title to and possession of~~
15 ~~a recreational vessel if delivered to the public agency by the owner~~
16 ~~in lieu of abandoning the vessel as described in Section 525.—~~

